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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)for _____
Title of invention

the specification of which is being transmitted herewith

OR

In re application of: SIMNACHER, Larry W.

Application No.: 10 / 717,534 Group No.: 3652

Filed: November 20, 2003 Examiner:

For: LIFTING MECHANISM FOR A STORAGE DEVICE ON THE BED
OF A PICKUP TRUCKAssistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
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Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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(Information Disclosure Statement [6-1]—page 1 of _____)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections
and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited
and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

Complete if Known

(use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/717,534

Filing Date

November 20, 2003

First Named Inventor

SIMNACHER, Larry W.

Group Art Unit

3652

Examiner Name

Attorney Docket Number

1170-9

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner
Signature

Date _____

Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . . "

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

- ☐ Exception(s) to above:
 - ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
 - ☐ Cumulative patents or publications identified in Section 5.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: *"Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).*

U.S. Patent Application Publication No. US 2002/0139618, published on October 3, 2002 to Anibas, describes a device for maintaining parallelism between a base structure and a movable structure. There is provided opposed pairs of pivoting arms which are synchronized by a timing device which links an arm with the arm opposite to it and ensures that these arms move the same distance but in opposite directions.

U.S. Patent No. 6,364,060, issued on April 2, 2002 to Cherry, describes another type of low profile lift assembly. This apparatus has lift platform which accommodates a manufactured product on a support surface and elevationally lifts the manufactured product to a vertical level or elevation. The apparatus also has a base adapted to rest on the floor with the lift platform interconnected to the base for movement between the raised and lowered positions.

U.S. Patent No. 5,395,209, issued on March 7, 1995 to Busse et al., describes palletizer having a scissor lift assembly for moving the supporting member relative to the base. A motor has an output shaft which is connected to the scissor structure such that the supporting member moves upwardly at a generally constant velocity in response to the rotation of the output shaft.

U.S. Patent No. 5,366,203, issued on November 22, 1994 to Huffman, describes a lift mechanism with a scissor-like stabilizer mechanism.

U.S. Patent No. 4,534,544, issued on August 13, 1985 to Heide, describes a lift having a platform and a scissors jack that is attached to the bottom of the platform. One pair of the parallel scissoring legs of the jack is firmly articulated with the platform and the other pair of the

scissoring legs is attached to a shaft that travels parallel to the bottom of the platform. Roller are mounted on a rigid axle and the axle is engaged by two chains that wrap around the chain wheels rigidly attached to the shaft and which are connected to a transverse beam.

U.S. Patent No. 4,391,345, issued on July 5, 1983 to Paul, describes an elevatable scaffold. The lift assembly includes a series of elongated structural assemblies each pivoted at one end and the middle thereof to some other structural assembly in the series. A cable passes substantially parallel with some of the structural assemblies and between the ends of mutually pivoted structural assemblies. A winch assembly is mounted on the base and receives the other end of the cable wound thereon so that the operation of the winch effects elevating of the platform by winding the cable.

U.S. Patent No. 3,843,115, issued on October 22, 1974 to Di Fulvio et al., describes an elevator apparatus for raising and lowering a platform. A lift mechanism, movable along a path parallel to the platform path, is coupled to the platform through an elongated member pivotally connected to the lift mechanism. The elongated member detachably engages the platform at two points, one on each side of the member, such that the pivoting movement of the member is restricted and that a lifting force can be transmitted therethrough from the lift mechanism to the platform.

U.S. Patent No. 3,785,462, issued on January 15, 1974 to Coad et al., describes a scissor lift having upper and lower platforms which is actuated by a cable reeved so as to pull the ends of the scissor together in its extended position and also reeved about a cam roller interposed between the arms and working toward the pivotal connection during the portion of the motion in which the lift begins to extend.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
☒ in the practitioner's file.

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SIGNATURE OF PRACTITIONER

John S. Egbert

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